

**MINUTES OF THE REGULAR MEETING OF THE
BOARD OF PUBLIC WORKS AND SAFETY OF THE CITY OF JASPER
OCTOBER 13, 2009**

The Board of Public Works and Safety of the City of Jasper, Indiana, met in regular session on Tuesday, October 13, 2009, in the Council Chambers of City Hall located at 610 Main Street.

CALL TO ORDER

Presiding Officer Mayor William J. Schmitt called the meeting to order at 8:00 a.m.

ROLL CALL

Mayor William J. Schmitt	Present
Board member Thomas R. Schmidt	Present
Board member Ambrose 'Butch' Schitter	Present

Also present were Police Chief Douglas Tarvin, Street Commissioner Raymond Eckerle, City Engineer Chad Hurm, Building Commissioner David Seger, Fire Chief Kenneth Hochgesang, Personnel/Safety Director Charles Schneider, City Attorney Sandra Hemmerlein and Clerk-Treasurer Juanita S. Boehm.

Clerk-Treasurer Juanita Boehm announced that in order to have a quorum for the meeting, a majority of the board members must be present. All three board members were present; therefore, there was a quorum for the meeting.

PLEDGE OF ALLEGIANCE

Mayor Schmitt invited all those present to join him in reciting the Pledge of Allegiance.

APPROVAL OF THE MINUTES

The board members examined the minutes of the regular meeting held on September 22, 2009.

A **motion** was made by Ambrose 'Butch' Schitter and seconded by Thomas Schmidt to approve the minutes as published. Motion carried 3-0.

FIRE STATION HOSE TOWER REMOVAL QUOTES

Mayor Schmitt said quotes were received for the removal of the fire hose tower at fire station #1. City Attorney Sandra Hemmerlein opened and read the following quotes that were submitted. Each quote contained a noncollusion affidavit.

Schmidt Contracting, Inc	\$ 6,250.00
Messmer Mechanical	\$23,935.00
Jasper Lumber	no quote submitted

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to accept the low quote from Schmidt Contracting, Inc for \$6,250.00

pending it meets all the specifications. Motion carried 2-0 with Board member Thomas Schmidt abstaining.

STREET CLOSING

Gerald Miller, representing Memorial Hospital along with Todd Laymon with Laymon Construction and Brian Slator asked permission to close part of Dorbett Street and prohibit certain parking while a crane is being used to move materials from a truck to the roof of the hospital so they can replace several roofs in several areas of the hospital building. Miller said the crane will be placed near the cancer center and a semi with the materials will be parked on the east side of Dorbett in that same area, therefore, they would like to close the northbound traffic lane of Dorbett Street between 10th Street and 13th Street on October 22, 2009 weather permitting. He also asked to prohibit parking on the west side of Dorbett Street from Brosmer's property to 10th Street. Miller added that he informed the two property owners in that area about the hospital's plans.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to approve the request of Memorial Hospital to partially block Dorbett Street for the purpose of roof repairs and prohibit parking on October 22, 2009 or whatever date the weather allows, provided they have flaggers present and they notify the two property owners in that area. Motion carried 3-0.

PETITION TO REDUCE SPEED LIMIT ON ST. CHARLES STREET

Rich Merder, 2230 St. Charles Street, said he was representing the area neighbors and they want to address some safety concerns on the two mile section of Saint Charles Street that extends from Schuetter Road to 36th Street. Merder said there are two issues; the first issue is to petition the Board to reduce the speed limit from 30 mph back to the original speed of 25 mph and the second issue is to outline the neighbors' safety concerns which are:

1. There have been many cars that blew out tires because they hit the curb. It is difficult to determine how many incidents of blown tires there have been but the number easily exceeds twenty.
2. There have been at least ten mailboxes knocked down, seven on the South and East side of Saint Charles, which is where the walking path is located. We have safety issues as we retrieve our mail and newspapers from our boxes, as we mow and trim along the curbs, and as we enter and exit our driveways.
3. JHS has athletes that use the walking path as part of their training process, there are many civic sponsored runs and walks that use the Saint Charles Street walking path as part of their events, and the proposed enhancement of the current walking path will probably promote additional use of the walking path.
4. There are Saint Charles Health Campus residents being pushed in wheel chairs on the walking path.
5. There are many young drivers using this section of Saint Charles twice daily during the school year.
6. This section of Saint Charles, with its many curves, presents driving conditions that are different than most any other streets in the City. There are equally busy streets that are basically very straight with 25 mph speed limits like Schuetter Road, 36th and 15th Streets.
7. There have been six cars drive over the curb and into lawns.

8. The majority of home owners purchased their property when the speed limit was 25 mph and we all viewed Saint Charles as a residential area.
9. We suggest that the City consider adding 'no passing' signs.
10. We suggest that the City consider adding signs that indicate the center lane is a turn lane only.
11. We have a list of people living on Saint Charles Street that have signed a petition requesting the speed limit be restored to 25 mph.

Merder went on to say that we fully understand that only revising the speed limit to 25 mph will do little to improve our safety concerns. The question that we need to ask ourselves is: how many contacts with the curbs is an acceptable level for a week, for a month, for a year? Our group feels that each time a curb is hit is a potential serious accident, and /or serious injury to a pedestrian or property owner. The bottom line is: what is our priority, moving traffic or maintaining a safe environment for everyone using this section of Saint Charles. Because the majority of cars travel 35 mph in a 25 mph zone does not justify increasing the speed limit to 30 mph, it simply rewards bad driving habits. We feel that Saint Charles is firstly a residential area; therefore, we respectfully request that this Board consider our recommendation to revise the speed limit back to 25 mph. We also recommend that some sort of monitoring continue so as to determine if flashing lights, traffic bumps or traffic ridges become necessary to warn motorists of the pending curves they will encounter. We suggest that the combination of speed and the continuous curves makes this section very unique and requires total driver concentration, there is no margin for error.

Merder then presented the petition that he said contained forty-eight signatures.

Thomas Schmidt said the City built St. Charles Street to move traffic. Is hitting the curb poor driving and would reducing the speed limit help that situation? Schmidt also said he did not see any advantage by changing the speed limit from 30 mph to 25 mph.

City Engineer Chad Hurm said two traffic studies were performed one in October 2006 and the other in August 2009. The more recent study indicated that the speed has not changed much since 2006. Hurm then gave the results of the study from 2006 and from 2009 and said the average speed now is 30.21 mph

Toni Matheson, representing St. Charles Health Campus located at 3150 St. Charles Street, said it is difficult for the assisted living people that drive cars to pull onto St. Charles Street when drivers speed.

Charles Schuler, 2450 St. Charles Street, said Merder presented things that happened along St. Charles Street and presented them in a responsible way so the City is aware of such happenings.

Mayor Schmitt said what the City needs to do is put together a group and do an in depth study and come back to the neighbors with a plan.

A **motion** was made by Mayor Schmitt and seconded by Ambrose ‘Butch’ Schitter to put together a study group consisting of the Police Chief, Street Commissioner, City Engineer, and Council member Kevin Manley and keep the neighbors informed. Motion carried 3-0.

Mayor Schmitt said Al Mehringer, 2426 St. Charles Street, submitted a letter that supports what the neighbors asked for plus a few other suggestions.

IVY MANOR PARKING REQUEST

At the September 8, 2009 meeting, Janet Schitter, owner of Ivy Manor located at 215 E. 9th Street, requested two-hour parking for three spaces in front of her business. The Mayor had asked the police chief, city engineer, and street commissioner to evaluate the area.

Mayor Schmitt said since that meeting whenever he drove by that area, parking was always available. Schitter stated she, too, has been monitoring the parking situation and it has been okay this past month. Schitter said she will let it go and withdraw her request and if it happens again she will come back to the Board.

NEIGHBORHOOD BLOCK PARTY

Kirk Smith, 917 Clearview Avenue, asked permission to close Clearview Avenue between Brames Road and Justin Street on October 25, 2009 from 1:00 p.m. to 7:00 p.m. for a neighborhood block party.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to approve the request for a block party. Motion carried 3-0.

USE CITY PARKING LOT NEAR HEADQUARTERS

Mayor Schmitt read a request the City received from Fritch’s Dutch Lunch, d/b/a Headquarter’s Inc. to use the City-owned parking lot located next to their building at 201 Main Street. They want to use the lot for a corn hole tournament on October 18, 2009, from 2:00 p.m. to 6:00 p.m.

A **motion** was made by Mayor Schmitt and seconded by Ambrose ‘Butch’ Schitter to approve the request for Headquarters to use the parking lot owned by the City for the corn hole tournament pending they meet correct insurance requirements. Motion carried 3-0.

STREET DEPARTMENT – SEMI TRACTOR QUOTES

At the July 28, 2009 meeting, Street Commissioner Raymond Eckerle asked permission to replace a 1981 semi-tractor from federal surplus and look for a used one. Eckerle was given permission to find one and report back with the findings.

Eckerle presented a list of semi tractors that contained a quote, the truck year, make and model, and mileage. Eckerle said he “latched” on to a 2003 International 9100i semi tractor with 216,000 miles from Commercial Truck Sales for \$29,500.00.

A **motion** was made by Mayor Schmitt and seconded by Ambrose ‘Butch’ Schitter to accept the quote from Commercial Truck Sales for a 2003 International for \$29,500.00. Motion carried 3-0.

STREET CLOSING

Street Commissioner Raymond Eckerle asked permission to close Gun Club Road from Executive Blvd to Woodlawn Drive for storm sewer repairs. He said they would like to do the work this week weather permitting.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to approve the request of the street commissioner to close Gun Club Road by Barb Blessinger’s for storm sewer repair. Motion carried 3-0.

MICRO SURFACING QUOTES

Street Commissioner Raymond Eckerle said in August he received quotes from Strawser Construction and Pavement Solutions to do micro surfacing on certain streets to test this method of preserving streets. The quote from Pavement Solutions was \$33,431.20 and the quote from Strawser Construction was \$41,080.00. Because of inclement weather, the test sealing will not be done this year. The contracts will be honored in 2010 therefore he wants to encumber the funds from 2009 to 2010.

YARD WASTE COLLECTION NOTICE

Street Commissioner Raymond Eckerle said the department is still dealing with some rubbish issues. He presented a sample of a door hanger that serves as a yard waste collection notice that contains the reason why yard waste items set out for collection were refused. The street department would like to change the procedure for notifying homeowners if rubbish items are not picked up. Currently they place a sticker on the bag if items were bagged or place a flyer in their box. Those methods for giving notice seem to be ignored, therefore, Eckerle asked for permission to change the procedure and start using the yard waste collection notice door hanger.

A **motion** was made by Mayor Schmitt and seconded by Ambrose ‘Butch’ Schitter to approve the yard waste collection notice and have the street department use this door hanger type notice in the future if someone has rubbish that does not comply with the ordinance. Motion carried 3-0.

BITUMINOUS MATERIAL CONTRACT

Street Commissioner Raymond Eckerle reported he received a notice from J. H. Rudolph Company and Tri-County Paving regarding a slight decrease in their contract price for bituminous material. J.H.Rudolph will decrease 98 cents per ton for surface and Tri-County will decrease approximately \$1.31 per ton.

STREET DEPARTMENT – SURPLUS ITEMS FOR AUCTION

Street Commissioner Raymond Eckerle presented the following list of items for the auction. He asked the Board to declare the items surplus and place them in the City auction scheduled for October 24, 2009.

Swenson 10' V-box Salt Spreader	
¼ ton Trailer	
1985 Dodge Van	
1970 Allis Chalmers Forklift	
1968 M-600 Huber Grader	
1981 International Semi-tractor	
Tool boxes	Parts off sewer jet truck/Jetter hose
Used sweeper brooms	UWS Aluminum tool box (20x24x60)
Rims	Stihl Blower – model SH85
Snow Plow controls	Code 3 bar lights (2)
JVC DVD and VCR player	Typewriter
Two-way radios	2 Desks
Desk Chairs (2)	Weed eater
Old gas cans	‘Sister Cities’ signs (2)
Trailer slack adjusters (8)	Gravity fuel nozzles (2)
Assorted brake shoes	Brake booster
Rubber/Felt floor mats	Extendable mirror
Hydraulic tower controller	Vehicle strobe light
Rolling seat creeper	Miscellaneous hand tools
Push mower	Assortment of traffic cones

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to accept the list of items from the street department to be auctioned at the City Auction. Motion carried 3-0.

TRANSFER BARRICADE LIGHTS TO ANOTHER DEPARTMENT

Street Commissioner Raymond Eckerle asked permission to transfer yellow and red portable flashing lights that are not in use to another department.

A **motion** was made by Mayor Schmitt and seconded by Ambrose ‘Butch’ Schitter to approve the request to transfer yellow and red portable flashing lights to another City department or the County or another entity. Motion carried 3-0.

APPRAISERS FOR LAND NEAR SOLID FILL SITE

Street Commissioner Raymond Eckerle reported that at the last meeting he received permission to obtain two certified appraisers to appraise land located near the solid fill site. Eckerle said the two appraisers are CEI Appraisal Group Inc and S R Woerner. There is a 3-4 week turn around.

A **motion** as made by Mayor Schmitt and seconded by Thomas Schmidt to have two companies do appraisals on the Jasper Partnership Realty property located next to the street department. Motion carried 3-0.

PRE FINAL WALK THRU AT THE MILL

City Engineer Chad Hurm reported that a pre final walk thru on the Mill was done. The punch list items for the contractor are completed. The City will take care of some items outside the contract.

Hurm had some warranty on the metal roof paperwork for the Mayor to sign.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to accept the limited warranty if it meets the architect's specifications on the Mill. Motion carried 3-0.

4TH STREET STORM SEWER AND SIDEWALK IMPROVEMENT PROJECT

City Engineer Chad Hurm said the City received a release of funds and notice of award to contractor. Next thing is for the State to issue a notice to proceed. A preconstruction meeting with the contractor is scheduled for this Thursday at 10:00 a.m.

WALKING PATH CONTRACT WITH INDOT

City Engineer Chad Hurm asked the Board to enter into a LPA contract with INDOT. The contract is for the walking path along St. Charles Street between Northwood Avenue and Schuetter Road.

A **motion** was made by Mayor Schmitt and seconded by Ambrose 'Butch' Schitter to enter into a project coordination contract with INDOT, American Recovery and Reinvestment Act of 2009 Funding, Des No. #0900049, and authorize the Mayor to sign the documents. Motion carried 3-0.

Hurm said INDOT will take care of the bidding that is scheduled for October 21, 2009. RFP's were sent out for engineering for the project, they have been received, scored, and paperwork filled out.

BADENDORFF STORM SEWER PROJECT

City Engineer Chad Hurm said the contractor started on the Badendorff Storm Sewer project last week. He asked permission to close a portion of 42nd Street to thru traffic from the beginning of the project 400 feet east of Wilhelm to Wilhelm intersection.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to close 42nd Street to thru traffic as long as people can get in and out to their homes and as long as the closure is needed for safety issues not a staging area for equipment. Motion carried 3-0.

FIREFIGHTER TRAINING

Fire Chief Kenneth Hochgesang said there is a training conference for firefighters at French Lick, Indiana on January 22, 23, and 24, 2010. The registration cost is \$60.00 which includes a 1 year membership and \$40.00 for a member. He asked permission to send ten individuals to this training.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to allow ten firefighters to attend the training at the cost of \$60.00 for the registration fee. Motion carried 3-0.

970 MERIDIAN ROAD COMPLAINT

Fire Chief Kenneth Hochgesang reported he received a complaint from a police officer about the house at 970 Meridian Road. The utilities have been

disconnected but a person is still living there. Hochgesang thought it was time to inspect the property.

A **motion** was made by Thomas Schmidt and seconded by Ambrose 'Butch' Schitter to have a City inspection at 970 Meridian Road by the police chief, fire chief, building commissioner, and Donna Oeding from the health department. Motion carried 3-0.

HIGH WEED COMPLAINTS

Fire Chief Kenneth Hochgesang reported to the board the name of the property owner and the location that has been cited under 5.12.040 weed removal/notice. The name and location is as follows:

Owner	Location
Marilyn J. Bean	1732 Newton St 2 Lots Second notice

FIRE DEPARTMENT REPORT

Fire Chief Kenneth Hochgesang reported to the Board for its review the Vehicle Mileage and Maintenance Report for the Jasper Fire Department for September, 2009.

POLICE DEPARTMENT – SURPLUS ITEMS

Police Chief Doug Tarvin presented a list of radio equipment from the police department that needs to be disposed of and asked the Board to approve his request as stated on the list.

Items to transfer to the Street Department

- . 6 CDM 1250 Mobile Radios
- . 1 Base Radio
- . 1 Icom portable radio (no asset tag)

Additional Items for Auction

- . 1 Street Hawk Light bar
- . 23 Portable Radio cases

Items to be junked (unable to resell/trade or use)

- . 18 mobile car radios
- . 17 portable radios
- . 3 monitor radios
- . 4 base station radios
- . 1 Motorola mobile radio

Items to be traded to Advanced Communications for Credit of \$1,100.00

- . 29 GP300 Portable Radios
- . 26 Chargers
- . A (6) unit battery charger
- . 2 battery conditioners
- . 2 radio cases/clips
- . 1 mic

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to approve the list of items to transfer to the street department, the list of additional items for the auction, the list of items to be junked, and the list of items to be traded to Advanced Communications for a \$1,100.00 credit. Motion carried 3-0.

POLICE REPORT

Police Chief Douglas Tarvin presented to the Board for its review the following report from the Jasper Police Department:
Monthly Activity Report for September, 2009

MEMORANDUM

Police Chief Douglas Tarvin presented to the Board a Memorandum he issued to the police department personnel about taking more aggressive action against animal complaints.

QUIT CLAIM DEED

City Attorney Sandra Hemmerlein said the Co-Trustees of the estate of Helen Hochgesang and Raymond Hochgesang discovered they own right-of way by C Street and Raymond Street and want to transfer it to the City. Hemmerlein informed them that part of the area is in the City and part in the County. Hemmerlein presented a quit claim deed for the part of Raymond Street that is in the City.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to approve and accept the Quit Claim Deed from David Sternberg and Mark Hochgesang, as Co-Trustees of the Helen C. Hochgesang Revocable Living Trust dated March 28, 2003 and Raymond A. Hochgesang. Motion carried 3-0.

ALCOHOL CATERING AGREEMENT

City Attorney Sandra Hemmerlein said a committee has been looking into requests the City receives for the use of the train car and train depot for events where they want to have alcohol. The group felt it needed to come up with a policy to reduce any risk the City might have if we allowed alcohol at these events. The group put together a train depot/train car alcohol catering agreement. Hemmerlein explained the requirements listed in the agreement. The Schnitzelbank and Fritch's Dutch Lunch dba Headquarters, licensed liquor caterers, said they want to meet the requirements. Hemmerlein asked the Board to approve the policy and authorize the Mayor to enter into any of these agreements.

A **motion** was made by Mayor Schmitt and seconded by Thomas Schmidt to authorize the Mayor to enter into an agreement with a licensed liquor caterer as mentioned here and on an ongoing basis provided they meet all City requirements. Motion carried 3-0.

CLAIMS. Claims against the City from September 4, 2009 to October 8, 2009 were presented to and examined by the board. Those claims found to be just, due and owing were approved 3-0 upon motion by Thomas Schmidt and seconded by Ambrose 'Butch' Schitter.

ADJOURNMENT. There being no further business to come before the board a motion was made by Thomas Schmidt and seconded by Ambrose 'Butch' Schitter to adjourn the meeting. The motion carried 3-0 and the meeting adjourned at 10:06 a.m.

The minutes were hereby approved ____ with X without corrections or clarification this 27th day of October, 2009.

Mayor William J. Schmitt
Presiding Officer

Attest:

Juanita S. Boehm, Clerk-Treasurer

Margaret A. Kress, Recording Secretary